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August 28, 2020

Via ECF

Hon. Katherine Polk Failla
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY, 10007

Re: *Uniformed Fire Officers Association et al v. DeBlasio et al* 1:20-cv-05441-KP

Dear Judge Failla:

Pursuant to Your Honor's individual rules, Intervenor Communities United for Police Reform ("CPR") requests a pre-motion conference regarding its anticipated Motion to Dismiss the Complaint under Fed. R. Civ. P. 12(b)(6).

The grounds upon which CPR may move are addressed in its Memorandum of Law In Opposition to the PI (ECF 142), which would include those grounds that the City Defendants identified in their pre-motion letter (ECF 81).

CPR has no desire to duplicate the arguments of the City Defendants. Thus, CPR proposes that it file its papers seven days after the City Defendants file theirs, which time CPR can use to determine what grounds for dismissal or issues if any still warrant briefing, with the subsequent briefing dates likewise extended by seven days. Specifically, CPR's proposed briefing schedule is below:

September 4, 2020	City Defendants' Motion to Dismiss
September 11, 2020	CPR's Motion to Dismiss
October 9, 2020	Plaintiffs' Opposition to Motion to Dismiss
October 23, 2020	Replies in Support of Motions to Dismiss

Counsel for CPR reached out to counsel for the Parties regarding CPR's intended motion and proposed schedule. CPR advised that, in light of its request to file its brief a week after the City Defendants' September 4 deadline, it would agree to a reciprocal one-week extension of the Plaintiffs' Opposition deadline.



Hon. Katherine Polk Failla
August 28, 2020
Page 2

Neither Party indicated that it opposes CPR's request to file its motion, but the Parties have been unable to agree on a briefing schedule for that motion. Counsel for the City Defendants indicated that they will consent to CPR filing its Motion to Dismiss and Memorandum seven days after the City's deadline of September 4; but that they would not agree to extending the Plaintiffs' deadlines. Plaintiffs' counsel indicated that they would not agree to CPR filing its brief later than the currently scheduled September 4 date for the Motion to Dismiss; but that they would nonetheless want an additional week for their Opposition in light of responding to an additional brief on dismissal.

CPR now respectfully requests that the Court set a pre-motion conference to consider the issue of timing for CPR's brief or to so-order CPR's requested briefing schedule.

Respectfully submitted,

/s/ Alex V. Chachkes
Alex V. Chachkes

/s/ Margaret L. Wheeler-Frothingham
Margaret L. Wheeler-Frothingham

cc (via ECF):
All counsel of record